

Remarks:

Reconsideration of the application, as amended herein, is respectfully requested.

Claims 1 - 5, 7 - 28, 30 - 46, 93, and 94 are presently pending in the application. Claims 1, 24, 93 and 94 have been amended. Claims 6, 29, and 47 - 92 were previously canceled to facilitate prosecution of the instant application.

In item 1 of the final Office Action, mailed May 9, 2005 ("the final Office Action"), claims 1 - 5, 8 - 28, 31 - 46, 93 and 94 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U. S. Patent No. 6,347,097 to Deng ("**DENG**").

In item 2 of the final Office Action, claims 7 and 30 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over **DENG** in view of U. S. Patent No. 6,212,633 to Levy ("**LEVY**").

Applicants respectfully disagree, as applied to the amended claims.

More particularly, Applicants' previously presented claim 1 recited, among other things:

forming the units at least partly with at least one region defining a given time slot within which the

second and third devices can output onto the bus specific information and/or data;

defining, in the second and third devices enabled for outputting data within the given time slot, settings selected from the group ....[emphasis added by Applicants]

Applicants' previously presented independent claim 93 contained similar limitations, among others.

Additionally, Applicants' previously presented independent claim 24 recited, among other limitations:

forming the units at least partly with at least one region defining a given time slot within which the one or more second and third devices can output onto the bus information and/or data; [emphasis added by Applicants]

Applicants' previously presented independent claim 94 contained similar limitations, among others.

As can be seen, each of Applicants' previously presented claims recited, among other things, forming the units at least partly with at least one region defining a given time slot within which the one or more second and third devices can output information and/or data onto the bus. Thus, in the Decision, the Board interpreted Applicants' previously presented claims as requiring, among other things, a time slot that is at least capable of allowing devices to output

specific information and/or data onto the bus. See, for example, page 7 of the Decision, which states, in part:

... In this regard, we note that Appellants' claim 1 does not recite that the second and third devices actually output data onto the bus during this defined time period, but rather this period is defined such that these devices can output this data onto the bus. This is a crucial distinction, for the recited time slot need only be capable of enabling these devices to output data onto the bus during this time period - not that this data output actually occurs. [emphasis added by Applicants]

As such, according to the Decision, it was found to be a "crucial distinction" that the use of the word "can" in Applicants claims meant that "the recited time slot need only be capable of enabling these devices to output data onto the bus during this time period - not that this data output actually occurs".

In order to address this issue raised by the Board in the Decision, Applicants have amended independent claims 1, 24, 93 and 94 to recite that the devices do, in fact, actually output the information and/or data onto the bus during the claimed time slot. For example, Applicants' independent claim 1 was amended to recite, among other limitations:

forming the units at least partly with at least one region defining a given time slot within which the second and third devices output onto the bus specific information and/or data; and

defining, in the second and third devices configured to output data within the given time slot, settings selected from the group consisting of .... [emphasis added by Applicants]

See also, for example, Applicants' amended independent claim 93, reciting similar limitations, among others.

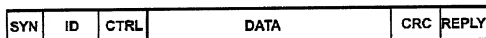
Additionally, Applicants' amended independent claim 24 recites, among other limitations:

forming the units at least partly with at least one region defining a given time slot within which the one or more second and third devices output onto the bus information and/or data; and [emphasis added by Applicants]

See also, for example, Applicants' amended independent claim 94, reciting similar limitations, among others.

As can be seen, each of Applicants' amended claims requires, among other things, forming the units at least partly with at least one region defining a given time slot within which the second and third devices output (i.e., and not "can output") information and/or data onto the bus. Thus, Applicants' claims have been amended to recite that this data output actually occurs, which, as was pointed out in the Decision, is a crucial distinction between what was formerly claimed, and what is now being claimed.

As such, Applicants' claims require the forming of a unit (i.e., a frame or message, according to the specification of the instant application) which includes a reply field defining a given time slot within which the second and third devices output (i.e., and not "can output") information and/or data onto the bus. Such a "unit" is shown in Fig. 2 of the instant application, reproduced below for convenience.



**FIG 2**

Additionally, the REPLY field of Fig. 2 is discussed more particularly in paragraph [0058] of the application, which states:

The reply field REPLY is not filled with data, or at any rate only filled partially with data, by the device sending the frame or the message. This field thus defines a time slot in which the devices which are not bus master can, or must, output data onto the bus. Depending on the length of the time slot defined by the reply field, one or more bits can be transmitted via the bus in that time slot. [emphasis added by Appellants]

Thus, Applicants' independent claims 1, 24, 93 and 94 require, among other things, claim 1 requires, among other limitations, that both second devices to which the data does not concern

and third devices to which the data does concern actually output data onto the bus during the time period of a "REPLY" field of a particular unit. In summary, all of Applicants' claims require, among other limitations: forming "units", with a first device, that include at least one region defining a given time slot within which second devices to which the data does not concern and third devices to which the data does concern, can output specific information and/or data onto the bus.

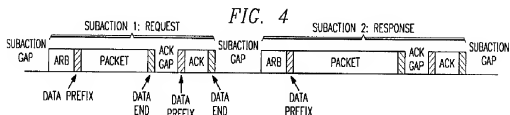
The DENG reference, cited against Applicants' independent claims in the final Office Action, neither teaches, nor suggests, the transmission of "units" formed by a first device to include a given time slot defined by the frame within which second devices to which the data does not concern and third devices to which the data does concern, output information and/or data. More particularly, DENG fails to teach or suggest that receivers downstream of the sender that are intended to receive the message and that are not intended to receive the message output information and/or data onto the bus during a period of the frame sent by the sender, as required by Applicants' claims.

Rather, in DENG, only the device to which the message is intended transmits information and/or data onto the bus during

the transmitted frame. DENG defines in its frame a period called the "ack-gap", during which the device for which the message is intended transmits information (i.e., an acknowledgement). This is supported by col. 6 of DENG, lines 34 - 43, which in relation to Fig. 4, states:

Referring now to FIG. 4, there is illustrated a subaction in the link layer 52 for an asynchronous transmission of a packet. This subaction is in the form of a request and a response. There is provided an arbitration sequence which is transmitted by a node that wishes to transmit a packet, this being transmitted to the physical layer 54 to gain control of the bus 58. The physical layer 54 may then respond immediately if it already controls the bus. This is followed by a data packet transmission which, for asynchronous subactions, involves the source node sending a data prefix signal (including a speed code, if needed), addresses of the source node and destination nodes, a transaction code, a transaction label, a retry code, data, one or two cyclic redundancy checks (CRCs), and a packet termination (either another data prefix or a data end signal). This is all followed by an acknowledgment field wherein a uniquely addressed destination returns a code indicating to the transmitting node the action taken by the packet receiver. [emphasis added by Applicants]

Fig. 4 of Deng is reproduced herebelow for convenience.



DENG specifically teaches sending a data packet during a subaction gap, the data packet including a field (i.e., the "Ack-gap") in which only a uniquely addressed destination returns a code. This specifically differs from Applicants' claimed invention wherein a "unit" is sent including a field during which both second devices to which the data does not concern and third devices to which the data does concern output information and/or data.

On page 2 of the final Office Action, it is implied that the "subaction gap" of Fig. 4 of DENG is part of Applicants' claimed "units at least partly with at least one region defining a given time slot within which the devices transmitting no data can output data representing specific information". Applicants' respectfully disagree. In DENG, the "subaction gap" is not part of the transmitted data packet, and is intended to be idle, i.e., without any device transmitting in this subaction gap. See, for example, col. 6 of DENG, lines 43 - 52, which states:

Each of these asynchronous subactions is separated by periods of idle bus called "subaction gaps." This gap is disposed between the packet transmission and acknowledgment reception. This "ack-gap" is of varying lengths depending upon where the receiver is on the bus with respect to the senders of the link request and acknowledgment (ack). However, the maximum length of the ack-gap is sufficiently shorter than a subaction gap to ensure that other nodes on the bus will not begin arbitration before the



acknowledgment has been received. [emphasis added by Appellants]

The above portion of DENG sets out that, in DENG, the "subaction gaps" are periods of idle bus called disposed between the packet transmission and acknowledgment reception. Clearly, DENG does not teach or suggest, among other limitations of Applicants' claims, a time period as part of the data packet or unit during which a device for which the message is not intended, actually outputs information and/or data onto the bus. Rather, the DENG reference discloses a data packet including an "ack-gap" period, during which a device for which the message is intended outputs "a code", and a "subaction gap" in which the bus of DENG is idle.

For the foregoing reasons, among others, Applicants' independent claims are believed to be patentable over the DENG reference. The LEVY reference, cited in the final Office Action in combination with the DENG reference against certain of Applicants' dependent claims, does not cure the above-discussed deficiencies of the DENG reference. As such, DENG, alone, or in combination with LEVY, fails to teach or suggest Applicants' claimed invention.

It is accordingly believed that none of the references, whether taken alone or in any combination, teach or suggest

the features of claims 1, 24, 93 and 94. Claims 1, 24, 93 and 94 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claims 1 or 24.

In view of the foregoing, reconsideration and allowance of claims 1 - 5, 7-28, 30 - 46, 93, and 94 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

The instant Amendment is being filed simultaneously with a Request for Continued Examination and its associated fee. If an extension of time for this paper is required, petition for extension is herewith made.

Please charge any fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stemmer LLP, No. 12-1099.

Respectfully submitted,

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August 29, 2011

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